

Docket No.: 50179-073

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled **DNA ENCODING OVINE ADENOVIRUS (OAV287) AND ITS USE AS A VIRAL VECTOR**, the specification of which

☒ is attached hereto,

☒ was filed on December 16, 1999 as Application Serial No. 09/464,767 and was amended by Preliminary Amendment filed concurrently herewith.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by the Preliminary Amendment filed concurrently herewith.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications(s):

Number	Country	Day/Month/Year filed	Priority Claimed
PM 7101	AUSTRALIA	July 26, 1994	<input checked="" type="checkbox"/>
PCT/AU95/00453	INTERNATIONAL	July 26, 1995	<input checked="" type="checkbox"/>

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):

Application Number	Filing Date

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):

Serial No.	Filing Date	Status: Patented, Pending, Abandoned
08/776,274	January 24, 1997	Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that

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Willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) and/or agent(s): Edward A. Becker, Reg. No. 37,777; Stephen A. Becker, Reg. No. 26,527; Marcel K. Bingham, Reg. No. 42,327; John G. Bisbikis, Reg. No. 37,095; Carl L. Brandt, Reg. No. 44,555; Daniel Bucca, Reg. No. 42,368; Kenneth L. Cage, Reg. No. 26,151; Carina M. Tan, Reg. No. P-45,765; Stephen C. Carlson, Reg. No. 39,929; Jennifer Chen, Reg. No. 42,404; Thomas A. Corrado, Reg. No. 42,439; Lawrence T. Cullen, Reg. No. 44,489; Paul Davinsky, Reg. No. 28,553; Margaret M. Duncan, Reg. No. 30,879; Brian E. Ferguson, Reg. No. 36,801; Michael E. Fogarty, Reg. No. 36,139; John R. Fulze, Reg. No. 37,327; William F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; Matthew V. Grumbling, Reg. No. 44,427; John A. Hawkins, Reg. No. 32,029; Brian D. Hickman, Reg. No. 35,894; Joseph Hyosuk Kim, Reg. No. 41,425; Eric J. Kraus, Reg. No. 36,190; Jack Q. Laver, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,369; Christine F. Martin, Reg. No. 39,762; Michael A. Messina, Reg. No. 33,424; Eugene J. Molinelli, Reg. No. 42,901; Christopher J. Palermo, Reg. No. 42,056; Dawn L. Palmer, Reg. No. 41,238; Joseph H. Paquin, Jr., Reg. No. 31,647; William D. Pegg, Reg. No. 42,988; Robert L. Price, Reg. No. 22,685; Thomas D. Robbins, Reg. No. 43,669; Gene Z. Robinson, Reg. No. 33,351; Joy Ann G. Sernuskas, Reg. No. 27,952; David A. Spenard, Reg. No. 37,449; Arthur J. Steiner, Reg. No. 26,106; David L. Stewart, Reg. No. 37,578; Michael D. Switzer, Reg. No. 39,552; Leprid D. Thener, Reg. No. 39,397; Judith L. Toffenetti, Reg. No. 39,048; Keith J. Townsend, Reg. No. 40,358; Daniel S. Trainor, Reg. No. 43,959; Cameron K. Weiffenbach, Reg. No. 44,488; Aaron Weisstuch, Reg. No. 41,557; Edward J. Wise, Reg. No. 34,523; Alexander V. Yampolaky, Reg. No. 36,324; and Robert W. Zelnick, Reg. No. 36,976 all of:

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Washington, DC 20005-3096

Direct Telephone Calls to: Telephone 202-756-8000

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

Full name of sole or first inventor: Gerald Wayne BOTH

Inventor's signature:

Date:

Residence: North Ryde, AUSTRALIA

Citizenship: Australian

Post Office Address: 4 Leslie Street, North Ryde, NSW 2113 AUSTRALIA

Full name of second inventor: David Bernard BOYLE

Inventor's signature:

Date:

Residence: Leopold, AUSTRALIA

Citizenship: Australian

Post Office Address: 6 Mary Place, Leopold, VIC 3224 AUSTRALIA

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CSIRO MOL SCIENCE CLAYTON

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7 MAY 2002 12:39

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NO.108

P.31/31

Full name of third inventor: Sudhanshu VRATI

Inventor's signature:



Date: 9/5/02

Residence: New Delhi, INDIA

Citizenship: Indian

Post Office Address: National Institute of Immunology, JNU Campus, New Delhi 110
067 INDIA

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CSIRO MOL SCIENCE CLAYTON

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P. 2

OIP E Docket No.: 50179-073

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CSIRO MOL SCIENCE CLAYTO

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Inventor's signature:

Date:

Residence: North Ryde, AUSTRALIA

Citizenship: Australian

Post Office Address: 4 Lealie Street, North Ryde, NSW 2113 AUSTRALIA

Full name of second inventor: David Bernard BOYLE

Inventor's signature:

Date: 8/05/2002

Residence: Leopold, AUSTRALIA

Citizenship: Australian

Post Office Address: 6 Mary Place, Leopold, VIC 3224 AUSTRALIA

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Full name of third inventor: Sudhanshu VRATI

Inventor's signature:

Date:

Residence: New Dehli, INDIA

Citizenship: Indian

Post Office Address: National Institute of Immunology, JNU Campus, New Dehli 110
067 INDIA

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Inventor's signature: *G.W. Both*

Date: 8/5/02

Residence: North Ryde, AUSTRALIA

Citizenship: Australian

Post Office Address: 4 Leslie Street, North Ryde, NSW 2113 AUSTRALIA

Full name of second inventor: David Bernard BOYLE

Inventor's signature:

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Residence: Leopold, AUSTRALIA

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Post Office Address: 6 Mary Place, Leopold, VIC 3224 AUSTRALIA

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Full name of third inventor: Sudhanshu VRATI

Inventor's signature:

Date:

Residence: New Delhi, INDIA

Citizenship: Indian

Post Office Address: National Institute of Immunology, JNU Campus, New Delhi 110
067 INDIA

07/05 '02 TUE 12:35 [TX/RX NO 5308]